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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/748,087 | 12/30/2003 | Daryl Carvis Cromer | RPS920030215US1 | 6868 |

61755 7590 06/20/2006

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| EXAMINER |
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ELAMIN, ABDELMONIEM I

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| ART UNIT | PAPER NUMBER |
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2116

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/748,087 | Applicant(s) CROMER ET AL. | |
| | Examiner A Elamin | Art Unit 2116 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/30/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>12/30/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Thelander et al,

Pub. No. US 2003/0009705 A1.

2. Claims 1, 11, 13-14, 19, 24, 26, Thelander teaches an apparatus for power savings in a computing device [*client computer 205 of Fig. 2*] communicating with a remote site [*server 203 of Fig. 2*] over a network [*network 201 of Fig. 2*], the apparatus comprising:

an interface module configured to receive a power saving command from a remote site on a network [*the client service process 305 of Fig. 3, paragraph 0038*];

a determination module configured to determine whether the client is in a selected state whereby it can comply with the power savings command [*paragraph 0059*];

and a power saving module configured to execute a selected power saving scheme responsive to a determination that the client is in a selected state whereby it can comply with the power saving command [*PMP properties profile 307 of Fig. 3*].

3. Claims 2, 12, 20, 25, 27, Thelander teaches the power saving module is further configured to select from a plurality of power saving schemes, and further comprising a policy module configured to store policy information for use in determining which of the plurality of power saving schemes to execute [*paragraph 0036*].

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4. Claim 3, Thelander teaches a state module, the state module configured to determine the computing device's current state to be used by the power saving module in selecting from the plurality of power saving schemes [*power management settings, see paragraph 0036*].
5. Claim 4, Thelander teaches the state module tracks at least one condition to determine the current state of the client [*the time of day, see paragraph 0041*].
6. Claim 5, Thelander teaches the power saving module is configured to select from a plurality of power saving schemes, at least one of the plurality of power saving schemes [*turn the computing device off, see paragraph 0049*].
7. Claim 6, Thelander teaches the power saving module is configured to select from a plurality of power saving schemes, and further comprising a configuration module configured to receive input from a user regarding criteria for selecting from the plurality of power saving schemes [*Fig. 4, paragraphs 0042 and 0044*].
8. Claims 7, 15, 28, Thelander teaches the interface module comprises a network interface card configured to generate a system management interrupt upon receipt of the power saving command from the network [*network interface 127 of Fig. 1, see related disclosure*].
9. Claims 8, 22, 30, Thelander teaches the determination module and the power saving module are stored in a BIOS of the computing device and are called as a result of the system management interrupt [*paragraph 0037*].
10. Claim 9, Thelander teaches the determination module and the power saving module are part of the computer's operating system and are called as a result of the system management interrupt [*paragraph 0040*].

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11. Claims 10, 23, 31, Thelander teaches the computing device's operating system comprises an Advanced Configuration and Power Interface and wherein the interface module is configured to access the determination module and the power saving module via the Advanced Configuration and Power Interface [*paragraph 0036*].

12. Claim 16, Thelander teaches the power saving command is broadcast to all client computing devices simultaneously [*paragraph 0007*].

13. Claim 17, Thelander teaches the power saving command is sent to each client computing device one at a time. [*paragraph 0090*].

14. Claim 18, Thelander teaches the power saving command is sent to each client computing device according to the IP address of each client computing device. [*paragraph 0087*].

15. Claims 21, 29, Thelander teaches generating a system management interrupt upon receipt of the power saving command [*inherently, a system management interrupt would be generated upon receipt of the power saving command*].

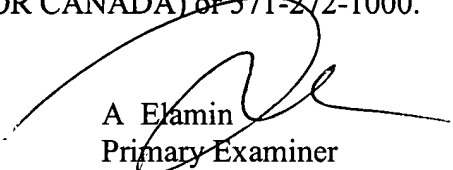
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (571) 272-3674. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



A. Elamin
Primary Examiner
Art Unit 2116

June 14, 2006